

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-064-JFH

JOHN MATTHEW JAMES,

Defendant.

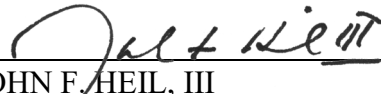
**OPINION AND ORDER**

Before the Court is a motion to dismiss (“Motion”) filed by the United States of America (“Government”). Dkt. No. 84. The Government requests leave to dismiss the Indictment [Dkt. No. 22] as to Defendant John Matthew James (“Defendant”) because it states it has been credibly informed of his death. *Id.*

Under Fed. R. Crim. P. 48(a), “courts must grant prosecutors leave to dismiss charges unless dismissal is clearly contrary to manifest public interest.” *United States v. Robertson*, 45 F.3d 1423, 1437 n.14 (10<sup>th</sup> Cir. 1995) (quoting *Rinaldi v. United States*, 434 U.S. 22, 30 (1977)). The Court concludes that dismissal of the charges against Defendant is not contrary to the public interest, nor is it for an improper purpose. The Government’s motion to dismiss should be granted.

IT IS THEREFORE ORDERED that the Government’s motion to dismiss [Dkt. No. 84] is GRANTED and the Indictment [Dkt. No. 22] is dismissed without prejudice.

Dated this 30th day of June 2023.

  
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JOHN F. HEIL, III  
UNITED STATES DISTRICT JUDGE